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VIA ECF

The Honorable Vernon S. Broderick
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Wang et al. v. Shun Lee Palace Restaurant, Inc. et al., 17-cv-840 (VSB)

Dear Judge Broderick:

We are counsel for Shun Lee Palace Restaurant, Inc. ("SLPR" or "Shun Lee Palace"), T&W Restaurant, Inc. ("TWRI" or "Shun Lee West"), John Hwang, Michael Tong, Bin Hu and William Hwang (collectively "Defendants"), in the above-referenced action.

Defendants write pursuant to Your Honor's order requiring Defendants to submit further explanation justifying their need for additional declarations. (Dkt. No. 64). Defendants are requesting leave to file additional declarations due to the fact that Plaintiffs' motion for conditional certification seeks to conditionally certify a Fair Labor Standards Act collective consisting of *all non-managerial employees (including "chefs, cooks, fry woks, other kitchen workers, sorters, packers, vegetable/meat cutters, bartenders, waiters/waitresses, dishwashers, busboys, and delivery[workers]"* working at two different restaurants. (Dkt. No. 59-2.) (emphasis added). Plaintiffs are seeking this overbroad collective despite that fact that all of the named Plaintiffs in the caption of the complaint are delivery workers and despite the fact that the complaints lacks any allegations describing the nature of the claims that chefs, cooks, fry woks, other workers, sorters, packers, vegetable meat cutters, bartenders, waiters/waitresses, dishwashers or busboys may or may not be asserting against Defendants. Defendants' believe that this putative class is overbroad and that these employees are not similarly situated. As such, Defendants believe they must put forth evidence, including in the form of declarations, of employees within several of these categories from the two restaurants, in addition to former and current managers with knowledge of each restaurant's operations, in order to oppose Plaintiffs' motion.

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We appreciate Your Honor's consideration of Defendants' request.

Respectfully submitted,

Littler Mendelson, P.C.

/s/ Eli Z. Freedberg

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cc: John Troy (via ECF)